

HOUSE BILL REPORT

HB 2596

As Reported by House Committee On:
Commerce & Labor

Title: An act relating to the cosmetology apprenticeship program.

Brief Description: Modifying provisions for the cosmetology apprenticeship program.

Sponsors: Representatives Kenney, McDonald, Conway, Wood, Hasegawa, Hudgins, Rodne, McCoy, Morrell and Ormsby.

Brief History:

Committee Activity:

Commerce & Labor: 1/26/06, 1/30/06 [DPS].

Brief Summary of Substitute Bill

- Removes the July 1, 2006, expiration date for the pilot cosmetology apprenticeship program and creates a permanent program.
- Requires salon/shops participating in the apprenticeship program to be approved and to use approved trainers.
- Requires the Department of Licensing to audit and inspect approved apprenticeship programs at least annually.
- Requires approved apprenticeship programs to post a notice to consumers stating that services may be provided by an apprentice.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Crouse, Holmquist, Hudgins, Kenney and McCoy.

Staff: Chris Cordes (786-7103).

Background:

Generally, individuals training for a license in cosmetology, barbering, esthetics, or manicuring must attend a cosmetology school licensed by the Department of Licensing

(Department). The requirements for becoming licensed as a cosmetologist include graduating from a licensed cosmetology school and passing an examination.

In 2003, a pilot program was established for cosmetology apprenticeships, with up to 20 participating salons. Under the pilot program, individuals may become licensed in cosmetology, barbering, esthetics, or manicuring by successfully completing a state-approved apprenticeship program and passing the appropriate licensing exam. Apprentices are allowed to receive wages while in the pilot program.

The Department adopted various rules related to the apprenticeship pilot program including rules requiring participating salon/shops to keep certain apprentice records, establishing training requirements, requiring participating salon/shops to post a notice to consumers, and requiring apprentices to wear identification visible to the public.

An advisory committee, coordinated by the Washington State Apprenticeship and Training Council appointed by the Department of Labor and Industries, was responsible for coordinating the apprenticeship pilot program and presenting a report to the Legislature. The apprenticeship pilot program expires July 1, 2006.

The Department regulates many businesses and professions under specific licensing laws. Each business and profession is under either the disciplinary authority of the Director of the Department or a board or a commission charged with regulating the particular profession. The Uniform Regulation of Business and Professions Act (URBPA) provides consolidated disciplinary procedures for these licensed businesses and professions.

Summary of Substitute Bill:

The cosmetology apprenticeship program expiration date of July 1, 2006, is deleted, and a permanent program is created to allow direct entry of individuals into an approved apprenticeship program. An apprentice actively enrolled in an apprenticeship program for cosmetology, barbering, esthetics, or manicuring may, without a license, engage in commercial practice as required for the program and must be paid a wage.

To participate, a salon/shop must be approved by the Washington State Apprenticeship and Training Council (WSATC), or be approved by the Department of Licensing (Department) if the Department is administering a similar program.

An approved apprenticeship program must provide the Department with a list of individuals acting as apprentice trainers. These trainers must be approved by the Department, must have a current license in the relevant practice, and must have held that license for a minimum of three consecutive years. To be an instructor for classroom theory training, the instructor must meet requirements specified under the rules of the WSATC.

The approved apprenticeship program must keep apprentice monthly reports recording daily activities and the number of hours completed. These must be provided to the apprentice and be kept on file for three years.

If the approved apprenticeship program makes any changes that affect the information required to be submitted to the Department, the approved apprenticeship program must submit revised information to the Department within 15 days after implementing the changes.

The Department must audit and inspect approved apprenticeship programs and apprentice monthly reports at least annually. If an approved apprenticeship program is not maintaining required standards, notice must be given to the approved apprenticeship program. If the listed conditions are not corrected, the approved apprenticeship program is subject to penalty under the URBPA.

The training curriculum for an apprenticeship program is established as:

- 3,000 hours for a cosmetologist;
- 2,000 hours for a barber;
- 2,000 hours for a manicurist; and
- 2,000 for an esthetician.

An approved apprenticeship program must post a notice to consumers stating, at a minimum, that the salon/shop participates in the apprenticeship program and that apprentices are in training and not yet licensed.

The membership of the Cosmetology, Barbering, Esthetics, and Manicuring Advisory Board is revised to include a member representing apprenticeship salon/shops.

Substitute Bill Compared to Original Bill:

The substitute makes various technical and language changes, including: (1) adding explicit language defining the cosmetology apprenticeship program as "state-approved;" (2) changing the term "apprenticeship salon/shops" to "approved apprenticeship programs;" (3) requiring salon/shops that participate in the apprenticeship program to be approved by the Washington State Apprenticeship and Training Council, rather than by the apprenticeship training committee; (4) changing the apprenticeship training committee to one approved by the Washington State Apprenticeship and Training Council, rather than specifying equal membership by apprenticeship salon/shops and apprentices; (5) requiring an apprentice to receive a wage while engaged in the program; and (6) requiring an instructor in an apprenticeship program to be a "competent instructor" as defined by rules adopted under the state apprenticeship law.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: The bill makes permanent a very successful cosmetology apprenticeship program. It incorporates features that made the program strong. The standards are approved

by the Washington State Apprenticeship and Training Council. The program has appropriate standards for classroom theory training as well. In cosmetology schools, students cannot be paid, but apprenticeship is an opportunity to "learn and earn." The training results in high quality employees, because both parties are very invested in a successful outcome. The students are very excited about the hands-on learning they receive in this program. The apprenticeship program had several objectives in addition to turning out high quality employees, including raising the wage standards in the industry, retaining employees, and increasing the number of salons training their employees. The program set a wage ladder which increased wages by 30 percent in the first year of training. More work, however, needs to be done on the management practices side of training. All apprentices in the program so far have passed the examination with higher than average scores. There are 13 salons participating currently. This type of training is best for employees and the clientele.

Testimony Against: None.

Persons Testifying: Representative Kenney, prime sponsor; Dennis Jenson; Noah Fosbre; Randy Loomans, Operating Engineers, Local 302; Miriam Lopez; Jamie Valentine; and Trudie Touchette, Department of Licensing.

Persons Signed In To Testify But Not Testifying: None.